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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WADA, et al. Examiner: J. Ortiz Criado  
Serial No.: 09/911,143 Group Art Unit: 2655  
Filed: July 23, 2001 Docket: 10873.772US01  
Confirmation No.: 4482 Notice of Allow. n/a  
Due Date: n/a Date:  
Title: OPTICAL ELEMENT, OPTICAL HEAD, OPTICAL RECORDING REPRODUCING APPARATUS AND OPTICAL RECORDING/REPRODUCING METHOD

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 April 1, 2005.

By: Peggy Kerkhove  
Name: Peggy Kerkhove

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Supplemental Information Disclosure Statement, Form 1449, 10 Reference(s)
- Other: Copy of a Form 892 from co-pending matter no. 10/892,009
- Return postcard

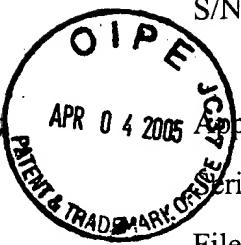
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: Douglas P. Mueller  
Name: Douglas P. Mueller  
Reg. No.: 30,300  
DPM/pjk

S/N 09/911,143

PATENT



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By: Peggy Kerkhove  
Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The art cited herein was originally cited by the Examiner in co-pending matter serial no. 10/892,009. A copy of the Form 892 issued in this co-pending matter is enclosed for the Examiner's review.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from the Examiner in a counterpart U.S. application within three months of filing this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332-5300

By: \_\_\_\_\_

Douglas P. Mueller  
Reg. No. 30,300

Dated: April 1, 2005

DPM/pjk



FORM 1449*		Docket Number: 09/911,143	Application Number: 10873.772US01
INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		APR 04 2005 U.S. PATENT & TRADEMARK OFFICE C-7	
		Applicant: WADA, et al.	
		Filing Date: July 23, 2001	Group Art Unit: 2655

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,943,159	August, 1999	Zhu			
	5,212,583	May, 1993	Vali, et al.			
	4,817,074	March, 1989	Yamanaka			
	6,430,139	August, 2002	Yoo, et al.			
	5,471,339	November, 1995	Ise, et al.			
	6,778,246	August, 2004	Sun, et al.			
	5,093,747	March, 1992	Dorschner			
	5,880,872	March, 1999	Udaka			
	4,937,539	June, 1990	Grinsberg, et al.			
	3,813,142	May, 1974	Buhrer			

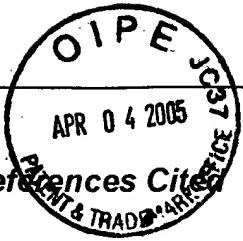
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						



EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	



Notice of References Cited	Application/Control No.	Applicant(s)/Patent Under Reexamination	
	10/892,009	WADA ET AL.	
	Examiner LOHA BEN	Art Unit 2873	Page 1 of 1

#### U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,212,583	05-1993	Vali et al.	359/245
*	B	US-5,943,159	08-1999	Zhu, Tom Yuxin	359/316
*	C	US-4,817,074	03-1989	Yamanaka, Yutaka	369/44.24
*	D	US-6,430,139 B1	08-2002	Yoo et al.	369/112.23
*	E	US-5,093,747	03-1992	Dorschner, Terry A.	359/316
*	F	US-4,937,539	06-1990	Grinberg et al.	349/202
*	G	US-6,778,246 B2	08-2004	Sun et al.	349/146
*	H	US-3,813,142	05-1974	Buhrer, Carl F.	385/10
*	I	US-5,880,872	03-1999	Udaka, Toru	359/273
*	J	US-5,471,339	11-1995	Ise et al.	359/275
	K	US-			
	L	US-			
	M	US-			

#### FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

#### NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.